Supreme Court, U.S.
FILED

No. 02 104 JUN 17 2002

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

In re LLOYD G. PERRY

Petitioner

V.

INDIANA SUPREME COURT et al

Respondants

On Petition For
Writ of Mandamus and Prohibition

PETITION FOR WRIT OF MANDAMUS AND PROHIBITION

Lloyd G. Perry
Pro se on record
P.O. Box 11041.
Ft Wayne Ind 46855

QUESTIONS PRESENTED

1. Due process standards of "Notice of Hearing and Right To be Heard". Is this standard Constitutional when the complaint is pled pursuant to Rules of Court 7 thru 19 and establish facts in a case demanding trial by jury; case is dismissed as frivolous?

2. Motion For Relief From Judgment under Trial Rule 60(B) Does the Trial Court, Court Of Appeals, Indiana Supreme Court or any Federal Court have the right to strike, delete, remove and alter parts of the record that establishes the fraud by opposing counsel, or Clerk, or the Court it's self, opposing parties, when these said frauds form the bases for the Rule 60(B) Motion?

3. Are the following Constitutional under circumstances related to this instance case and it's long history? Public Law 100-702 [H.R. 4807] (Judicial Improvment and Access To Justice) Act 102 STAT. 4642, at 4650, 4651; 28 USCS § 1654; Indiana Code § 33-2-3-1 (1999 Replcmnt. pp. 113-114. Under the circumstances, opposing counsel and Perry's own counsel and the Court's engage in fraud detrimental to Perry's position; the State Of Indiana Supreme Court refuses to discipline either the attorneys or the judges for their criminal acts conducted in civil proceedings to Perry's demise. Said State Supreme Court, refuses to address the issues of jurisdiction as well; the case is dismissed as frivolous after Perry's own attorney stripped his file of evidence; some one of this group killed two of Perry's friends to keep them from testifying, and any remaining witnesses refused to get involved out of fear for their lives and the judge ordered Perry to be pushed down the stairs of the court house to kill him. The case had been before the National Labor Relations Board and the Civil Rights Commission but those records were also destroyed. The case is dismissed and and injunction placed for filing a frivolous complaint. No Rule 60(B) relief given.

4. Is it Constitutional for the Internal Rrevenue Service to use bogus claims to prosecute Perry, when the U.S. District Court and the Seventh Circuit Court of Appeals blocked Perry's defense rights to use the District Court with a bogus mandate for a frivolous appeal filed under Trial rule 60(B); after the conspirators altered, Perry's Social Security records, Tax Records, Central Pension Fund Records and for years on end disrupted his employment and businesses creating tax problems because of the altered records and destruction of tax records by the IRS themselves?

PARTIES INVOLVED AND RULE 29.6 STATEMENT

To my knowledge, there are no public corporations involved in this case. (Rule 29.6)

All parties do not appear in the caption of this petition for extraordinary writ to the State and Federal Courts of the State Of Indiana, in the nature of mandamus and prohibition. See list in the Appendix on pages A16 thru A31 includes both the Officials, their offices and the parties. The separate Lodgings hold Federal Cases, directly related to this case and petition.

SHORT LIST: RESPONDANT OFFICIALS

1. INDIANA SUPREME COURT: and the Honorable,
   402 West Washington Street
   216 State House
   Indianapolis, Indiana 46204
   A. Randall T. Shephard, Chief Justice
   B. Brent E. Dickson, acting Chief Justice
   C. Frank Sullivan, Jr., Justice
   D. Theadore Boehn, Justice

This instance case of Perry v. Curtis on appeal, Denied. Docket Number 57A04-0009-CV-404 also original action denied. Pending, Perry v. McCarthy Lebit, Docket No. 02A04-0204-CV-157 and the Jensen v. Perry case pending in Allen Superior

2. INDIANA COURT OF APPEALS: and The Honorable;
   402 West Washington Street
   216 State House
   Indianapolis, Indiana 46204
   A. John G. Baker, Judge
   B. Ezra H. Friedlandr, Judge
   C. Margaret G. Robb, Judge
   D. Paul D. Mathias, Judge

Same cases as listed above in paragraph 1.

3. GOVERNOR, STATE OF INDIANA: The Honorable
   402 West Washington Street
   211 State House
   Indianapolis, Indiana 46204
   A. Frank O'Bannon, Governor

4. STATE OF INDIANA: and
402 West Washington Street,
Indiana Government Center, South, 5th Floor
Indianapolis, Indiana 46204
A. Stephen Carter, Attorney General, Indiana

5. OHIO LOWER COURT NO. CV-319861
Cuyahoga County, Court Of Common Pleas
Justice Center, Court Tower
Cleveland, Ohio 44113
A. Jose A Villanueva, Judge

6. ALLEN SUPERIOR COURT: and The Honorable
Allen Superior Court / Circuit Court
Court House
Main Street
Fort Wayne, Indiana 46802
A. David J. Avery, Judge
B. Wayne Lennington
Pending; Jensen v. Perry, Docket No. 02D01-0101-CT-000022

C. Paul D. Mathias, Judge
D. Daniel G. Heath, Judge
E. Jerry Ummel, Magistrate
Pending on appeal, Perry v. McCarthy, Lebit Crystal Haiman,
Lower Court No. 02D01-9712-SC-20814: Ind. Court Of Appeals
Docket No. 02A04-0204-CV-157

7. NOBLE SUPERIOR COURT, the Honorable
Courthouse
101 Orange Street
Albion, Ind. 46701
A. Stephen Spindler, Judge
B. J. Scott VanDerbeck, Special Judge
C. Diana Botner, Clerk
This instance appeal and petition of Perry v. Curtis
Lower Court No. 57D01-9007-CT-000018

8. INDIANA SUPREME COURT DISCIPLINARY COMMISSION and the Honorable
402 West Washington Street
216 State House
Indianapolis, Indiana 46204

Sued for non-discipline in U.S. District Court case of Perry v. Barnard U.S. Supreme Court Docket No. 00-241

A. Linda K. Barnard, Acting Director
B. Sheldon D. Breskow (died)
C. Sherill Colvin
D. G. Daniel Kelly Jr.
E. Clifford Mashmeyer
F. James McDonald Jr.
G. James Pucket
H. Westley W. Ratliff Jr.
I. Itsia Rivera
J. Sariah B. Davies
K. Bruce Kotzan
L. Hansford Mann
M. James T. Neal
N. C. Corydon Randall
O. Randal T. Shepard
P. Thomas H. Singer
Q. Howard S. Young Jr.

Represented by Assistant Indiana Attorney General Janice E. Kreuscher, Indiana Government Center, South, Fifth Floor, 402 West Washington, Indianapolis, Indiana 46204 (Robert Spears originally)

Indiana Bar Association Presidents;

A. Rabb Emison
B. Russ Hart

Represented by Theadore Lockyear and James A. Kornblum, of Lockyear and Kornblum, P.O. Box 3515 Evansville, Indiana 47734-3515

9. UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

EVANSVILLE, DIVISION, and The Honorable
304 Federal Building
101 N.W. Martin Luther King Blvd.
Evansville, Indiana 47708

A. Gene E. Brooks, Judge
B. Susan M. Doninger, Deputy Clerk

10. UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS, DIVISION, and The Honorable
Room 105
46 Ohio Street
Indianapolis, Indiana 46204

A. David F. Hamilton, Judge
B. John Daniel Tinder, Judge
C. Susan M. Doninger, Deputy Clerk

11. UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT, and The Honorable
319 Dearborn Street, 27th Floor
Chicago, Illinois, 60604

A. Richard A. Posner, Cir. Judge
B. Frank H. Easterbrook, Cir. Judge
C. Michael S. Kanne, Cir. Judge

Cases related to this instance appeal of Perry v. Curtis and that were before the Federal Courts listed above are as follows:

Perry v. Barnard U.S.S. Ct. Docket No. 00-241
Revived by Trial Rule 60(B) Motion, Case is blocked by Mandate Issued 6/30/99

Perry v. United Staes Of America et al. U.S. S. Ct. Docket No. 99-310, Case blocked by mandate issued 6/03/99
This list includes all officials and/or their offices, including defendants list.

Perry v. Gresk, (Pauper) S. Ct. Docket Nos. 86-1765 advanced to 86-1765 (precedent case)
This list includes all officials and/or their offices, including defendant list.

12. UNITED STATES ATTORNEY, OFFICE, and
Suite 2100
10 West Market Street
Indianapolis, Indiana 46204

A. Timothy M. Morrison, assist. U.S. Attorney

13. UNITED STATES DEPARTMENT OF TREASURY: and
Internal revenue Service, Criminal Investigation
8398 Mississippi Street
Merrillville, Indiana 46410

A. Matthew E. Fabina, Special Agent
B. Keith Andrews, Supervisor W-I:F : TAC
1415 Director's Row
Fort Wayne, Indiana 46808

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B. Separate appendix to said petition
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1. Perry vs. Curtis, Indiana Supreme Court Petition To Transfer, Denied March 19,2002 (see apdx. p. A 1.)
2. Perry vs. Curtis, Indiana Court Of Appeals, Appeal denied, August 3, 2001 (see apdx. pp. A2-A8)
3. Lloyd G. Perry vs. Linda K. Barnard et al. U.S. Supreme Court Docket No. 00-241. Instructed to take back to State by S.Ct. Law Clerk.
4. Lloyd G. Perry vs. United States Of America, et al U.S. Supreme Court Docket No. 99-310, Instructed to take back to State by S.Ct. Law Clerk.
5. Lloyd G. Perry vs. Linda K. Barnard et al., 00-1725 (7th Cir. May 16,2000) Dismissed without appeal
6. Lloyd G. Perry v. United States Of America et. al., No. 98-4128 (7th Cir. April 30,1999) Order Judgment. (unpublished)
7. Lloyd G. Perry v. United States Of America et al., No. 98-4128 (7th Cir. May 26, 1999) Rehearing denied. (unpublished)
8. Lloyd G. Perry v. United States of America changed to; Lloyd G. Perry v. Senator Richard Lugar et. al., No. IP 98-677-C-H/G (S.D. Ind. Oct. 23, 1998) Order Entry dismissing the action (unpublished)
9. Lloyd G. Perry v. Senator Richard Lugar, et al., No. IP 98-677-C-H/G Rehearing denied. (unpublished) (S.D. Ind. Nov. 12, 1998) (unpublished)

EARLY RELATED CASES:

1. Lloyd G. Perry v. Paul D. Gresk, et al., No. 84-174-C (S.D. February 21, 1986) (unpublished order) (See Barnard)
2. Lloyd G. Perry v. Linda K. Barnard, et al., No. EV 88-24-C (S.D. Ind. September 26, 1989) (unpublished) (see Writ apdx. injun. pp. 16-19 covering both Gresk and Barnard)
3. Perry v. Barnard et. al., No. 89-3575, 1990 WL 121481 (7th Cir. Aug. 17. 1990) (unpublished order) (omitted)

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1. Curtis vs. Perry/ Perry vs. Curtis, 57D01-9006-CT-018 Noble Superior Court Ind. (see Lodgings . pp.58-63)
2. Perry vs. Fox Contractors Inc., et al., No. 02C01-8908-CT-93. (see injunction (Id.))
3. American General Finance vs. Perry, No. 02D01-9305-CP-832 Allen Superior Court Ind.

4. M&M Investments vs. Perry/Perry vs. M&M Investments No.02D01-9305-CP-861 Allen Superior Small Claims and Allen Circuit

5. Summit Account and Computer Services/ Fort Wayne National Bank vs. Perry, No._____Allen Superior Small Claims, Ind.

6. Perry vs. Geiger Developing Inc.,No.02C01-9111-CP-996 Allen Superior Court Fort Wayne, Indiana

7. Perry vs. Barry's Inc. No 02D01-9503-CT-0122 Allen Superior Court, Ind.

8. A-1 Freeman Moving and Storage vs. Perry Enterprises Inc. - - Perry Enterprises Inc. vs. Portland Trailer and Equipment No.CIV-95-1829-W U.S. District Court, Western District Of Oklahoma.

9. Star Financial Bank vs. Perry Industries Inc. and Lloyd G. Perry, No. 02D01-9609-SC-17346 Allen Superior Court Small Claims.

10. Perry Enterprises Inc. vs. B.M.I. Transportation Inc., No. 1:96-CV-0547, U.S. District Court Cleveland Ohio Division

11. Trier Ford Lincoln Mercury vs. Perry/ Perry vs. Trier Ford No. 02D01-9702-CP-222 Allen Superior Court Ind.

12. McCarthy Lebit Crystal & Haiman vs. Perry, No. 319861 Court of Common Pleas, Cuyahoga County Ohio, proceeded to collect in Allen Superior Court Small Claims, Ind. No. 02D01-9712-SC-20814

13. Federal Bankruptcy Court, Fort Wayne Ind. Division; Adversary Proceedings; McLane, Trustee vs. Perry, No. 98-1066; in the William Edward Faurote, Jr. and Lois Rose Faurote, bankruptcy, No. 96-10702

14. M.L. or Mary Patterson, vs. Lloyd G. Perry, No. 02d01-9608-SC-15572 Allen Superior Court Small Claims

15 State of Indiana vs. Lloyd G. Perry, No. 98-IF-2238, Allen Superior Traffic and Misdemeanor, Ind.

16. Jensen vs. Perry, Allen Superior Court, No. 02D01-0101-CT-22,

JURISDICTION OF THIS UNITED STATES SUPREME COURT

1. Judgment was entered by the Indiana Court Of Appeals August 3, 2001(Apdx pp A1-A8), on petitioners motion for relief from judgment pursuant to Trial Rule 60(B); a petition for rehearing was filed September 4, 2001 and denied October 29, 2001. The Supreme Court Of Indiana denied the motion to transfer on March 19, 2002 as a furtherance of their evasiveness to address issues of exclusive jurisdiction; the federal questions related attorney discipline; State practiced policy of discrimination; and flawed laws depriving access to the courts.

2. Statutory provisions for this Court's jurisdiction is believed to be under 28 USCS § 1257 and 28 USCS § 1651(A); Supreme Court Rule 10(A) & (C) with Rule 20(1.) petitioning for an extraordinary writ for mandamus and prohibition under circumstances that can not be resolved in any other place except this United States Supreme Court with it's supervisory powers.

3. Notices pursuant to Rule 29.4(b) and (c) have been made. Which states this action draws into question an Act Of Congress, P. L. 100-702 [H.R. 4807] (Judicial Improvment and Access To Justice) Act 102 STAT. 4642, at STAT. 4650-4651 and State statutes, Indiana Code § 33-2-3-1, West's I.C. pp. 113,114 (1999 replacement) Violations of Separation Of Powers Doctrine.

4. This petition is brought to this United States Supreme Court under the terms and conditions of the United States Constitution, Article III, Section 2, clauses 1 & 2 ("Arising Under Clauses")West's Black's Law Dictionary 6th Edition p. 1644, as the supervisory power over the Indiana Supreme Court; Indiana Court Of Appeals; Noble Superior and Allen Superior Indiana; United States District Courts Southern District Indiana; Seventh Circuit Court of Appeals. With the Original jurisdiction over cases involving the State Of Indiana, and appelate jurisdiction over cases involving the United States Of America and the inferior Internal Revenue Service.

5. Violations by each and all of the above cited parties to this extraordinary writ have preempted the;

United States Constitution setforth under the following:

.1 Article I. Sec. 1. West's Black's Law Dict. p. 1639

.2 Article II. Sec. 1.West's Black's Law Dict. p. 1642

.3 Article III. Sec. 1. West's Black's Law Dict. p. 1644

.4 Article VI. [2], West's Black's Law Dict. p. 1645
.5 Amendment VII. West's Black's Law Dict. p. 1646
.6 Amendment XIV. West's Black's Law Dict. p. 1647

State Of Indiana Constitution setforth under the following
.1 Article I. § 12, Burns Ind. Statutes, Const. (1997 Replmnt) p. 30
.2 Article III., § 1, Burns Ind. Statutes, Const. (1997 Replmnt) p. 204

.3 Article VII., § 4, Burns Ind. Statutes, Const. (1997 Replmnt) p. 277

6. The timelyness of this action for relief from judgment pursuant to Trial Rule 60(B) of either State Or Federal Law, is not time barred pursuant to:

.1 21A Fed. Proc. L Ed § 51:166 (1999 Ed) Judgments, General, pp. 438, 439 (include the cited case law within)

.2 21A Fed. Proc. L Ed § 51:167 (1999 Ed) What Judgment are void: p 439,441 at 440 thru last 5 lines on 441 and (include the case law cited within)

7. Petitioner filed petition to transfer his appeal to the Supreme Court of Indiana on November 19, 2001 and that said Supreme Court had refused to rule on this transfer three times perviously; at the time of filing; during the appeal, and by original action. It has refused to address the issues of exclusive jurisdiction; refused to address the issues of Federal Question Challenges to the Indiana Statutes of Indiana Code, § 33-2-3-1 and I.C. § 34-5-2-1; and continues to discriminate against this petitioner by ignoring his pleadings and evidence; and now they refuse to address their drafting and causing to be legislated, legislation that willfully violates the constitutional rights of the citizens by denying them access to the courts using flawed laws and denying trial by jury. The federal question challenge was first raised in the cross-complaint filed by this petitioner at the onset of the case of Curtis v. Perry in Noble Superior Court, as was the issues of no jurisdiction over the person or the subject matter. Again on appeal, Perry v. Curtis.

STATEMENT OF THE CASE:

DEPARTURE:

1. Honesty, integrity, fairness, balance, truthfulness, devotion to the State and Federal Constitutuions and the laws under each, courtesy, dignity; these are all hall-marks of the Justices, Judges and attorneys of the legal profession. That is, they use to be the hall-marks but not so today in most instances.

2. To be able to deal with the actions of the Courts in todays time periods, the standards of review have to be "totally erroneous", "abuse of discretion", "abuse of power". These are terms that should never have to be used in a place that is to be so respected it is almost hallowed grounds but yet it must be because those whom we are to trust, lye, cheat, steal, obstruct justice, extort conditions that would not otherwise be a willful act. This place is anything but hallow, it is nothing short of being the pit. The approximate cause, no discipline (I.C. § 33-2-3-1) and Public Law 100-702, which allows the making of their own rules without oversite.

3. But what about the justice or judge or attorney that still wants the hall-marks of the good judicial system? Well, that is why we are here. The public wants that setting with the hall-mark judge and attorney for it's problems to be resolved by. The few remaining, good, justices, judges and attorneys want to be proud of their profession and not have to hang their head when asked what they do for a living.

4. These conditions described above, mark the conditions in which Perry has had to try to recover his losses and damages that were brought on by the corruption and otherwise bad influences of United States Senator Richard Lugar and his then Chief Staff Attorney, Paul D. Greak. The judgments are twisted blends of half truths and absolute lies, made to justify a judgment made without jurisdiction or supportive law to make it.

5. An examination of the Lodgings, you'll find the evidence of the theft of $600,000. of Perry's money by Greak, Lugar, and others in the Perry vs. Greak Case.

6. If the tax records were still there, you would find that that loss was never allowed to be claimed, nor has the repeated business interferences and resulting losses and damages, yet the IRS has repeatedly taken tax that they are not entitled to but at the same time will not honor the law that requires the losses and damages to be declared after litigation. But then the time to file

for those losses and damages on your tax is up to 3 years but it takes 10 years to get thru the court process; that is if it isn't corrupted. Add to this then the conspirators, (Judges in part) then use the IRS to attack Perry for defects created by others that was designed to cause Perry to be arrested; intended to deprive him of his retirement benefits from both the central pension fund and social security.

8. An examination of the record shows the IRS has a copy of the tampered video tape of the Perry v. Vande Zande case. That is a clear case of obstruction of justice by attorney Randy Hammon and the court reporters. Did the IRS-CID do anything? Certainly not, all they did was try to find something to prosecute Perry for and waited untill Judge Tinder, Hamilton and Posner placed the mandate to block the U.S. District Court, before they started any action. Clear evidence of collusion, and a common first line of defense by a politician, but is this retaliation legal?

9. In each and every case cited within this petition and those of the earlier petitions, all have been the result of obstructions of justice by the attorneys and opposing parties to Perry in the actions, in some cases, not all, the judges themselves played a part in the frauds. In other instances, such as Judges Van Derbeck, Noble Superior; Avery, and Lennington Allen Superior, these judges did not engage in any fraud, but they refused to recognize the frauds that had been committed. That refusal to take those facts under consideration gave strength to the advange gained by those who committed the frauds for the purpose of gaining that advantage, knowing that the fraud would not be weighed in the balance. They expect to win and believe they will because they know none of the Courts weigh the fraud in their decision making process.

10. The other side of it is, that like in this instance case of Perry v. Curtis, the evidence was stripped from the Perry files; they killed Perry's 2 key witnesses, disrupted his employment so that he had no income and dismissed the case as frivolous because Perry had no evidence. But it was a case to be tried by a jury. The evidence would normally have been in the records of the National Labor Relations Board, and Indiana Civil Rights Commission along with other records. all of those records had been destroyed and the people in charge refused to co-operate in discovery. How many of those jury persons is going to

allow this condition, knowing that those records had to be maintained by these agencies? They would not. The total absence of any records is more convicting than a truck load of good records.

11. Then when you look at the docket entries (Sep. Apdx. pp A9-A15) You see the same pattern of Court record tampering by the Courts themselves. The evidence of the frauds removed, deleted or struck from the record because of who is involved. (Attorneys and Judges for the most part)

SUMMARY:

1. This petitioner filed his motion for relief from judgment pursuant to Trial Rule 60(B) in this case of Curtis v. Perry and now the appeal of Perry v. Curtis and likewise in the Federal case of Perry v. Barnard challenging both the judgments and the injunctions placed in each. Both judgments are mis-stated, the facts are not considered, the law mis-applied or the courts just plain doing what they want without any precedent law.

2. The reason these cases were re-opened is not because of the loss of the $600,000. Gresk helped to steal and cover-up; nor the the losses and damages Perry has suffered because of the years of discrimination practiced by the State Of Indiana against laymen pro se; though discrimination and lack of jurisdiction are the valid bases for these Rule 60(B) motions for relief.

3. This would have been left alone, as wrong as it was, but some of these people Gresk, Tinder, Lugar, Mathias, Spindler, Shephard, Lerch, Local #103, Groth, Kimbrough, Rothberg, Logan, Eilbacher, Lockyear, to name a few of the respondants, just simply will not leave Perry alone. Every so often one or the other has someone trying to kill me; they still disrupt my employment, destroy any business I get into, stalking me daily and every so often there is a new issue of some bogus claim for civil action or false criminal charge filed to cause me trouble.

4. It is long past time to stop this abuse of power and failure to provide equal protection of the law, so we file in the United States Supreme Court for the needed corrections that can not and will not come from the State Supreme Court because of their personal interest in the outcome of the matters and so

they evade the issues by refusing to address the problems and refuse to rule on a motion to transfer so that Perry can go forward to get relief.

5. Perry has no desire to practice law but because of the circumstances he must act as pro se or go without recourse. He has been denied appointment of counsel, even under a pauper petition in the Federal District Court under Perry v. Gresk. It is shameful the way the courts of this state have treated Perry just to protect politicians that have committed crimes and those crimes cause others in the Courts and State and Federal Government to committ crimes and now here we are with a broken judicial system that this United States Supreme Court must fix because it can not be handled anywhere else and justice is illusive.

6. From the beginning, way back with the Tell City National Bank interference with Perry's construction business to prevent Perry from discovery of the embezzlement of his $125,000. by the bank, till now, all Perry has been trying to do is use the courts as they are designed for - - relief from wrongs and justice. But because the attorneys and judges of this State don't like pro se laymen in their courts, that relief and justice has been denied, without consideration that many attorneys have been hired and all have defrauded Perry at some point along the way forcing the pro se representations. See *Indiana Constitution Article I, § 12* Burns Indiana Statutes, Constitutions (1997 Ed. p. 30) also Perry v. Gresk (supra); Perry v. Barnard (supra) and Perry v. U.S. .

7. Citing the Indiana Court of Appeals excerpt from the lower court record of Curtis v. Perry, Noble Superior, we can see the deceptive practices of both the Noble Superior and the Court of Appeals by turning around the conditions to favor their own; practiced in Allen Superior and precedent in Gresk and Barnard

> "I believe that if anyone is subject to sanctions under Rule 11 and if anyone has behaved themselves in a fashion which causes justice to cry out for an injunction to curb the abuse of the legal system which you have perpetrated in the past and the future, it is you. And, for that purpose, I am going to grant all of the Motions and Applications for Permanent Injunctions." R. at 461-62. "This action, as I tried to explain to you earlier, is so

patently, obviously, and transparently frivolous and brought in bad faith that it is frivolous, transparently and patently frivolous, with regards to everyone you named."

This statement was made by Judge Stephen Spindler after he had denied Perry's request to bring the witnesses into court to testify under protection of the court because of the witnesses fear for their lives if done in just affidavit form. It also followed Judge Spindlers order to the Noble County Sheriff's department to strip seach Perry and search his car without probable cause or a warrant; this then was followed by the Judge's order for those deputys to push Perry down the stairs of the court house and try to kill Perry as is noted in the record. True, justice does cry out but for Perry's relief, not for sanctions that enjoin his access. The United States Supreme Court gives equal justice under the law.

1. This case has a long history (see official and unofficial reports above) A case entitled Perry v. Fox Contracting Inc. filed in the Allen Circuit Court for slander and lible was instigated by an attorney Theadore Lockyear growing out of a case from the United States District Court entitled Perry v. Paul D. Gresk eta al., followed by Perry v. Barnard and an injunction.

2. The issues of slander and lible in the Fox case was instigated for the purpose of dislodging Perry's employment with the Operating Engineers Local #103 (28 years there) and was intended to get Perry into State Court, to bar his use of the Courts by placing the State injunction, to join with the Federal.

3. Allen Circuit Court Judge Thomas Ryan refused to give Perry a permanent injunction after attorney Stephen Lerch pressured him in closed quarters. With no injunction Perry, in self defense of his safety and in an effort to save his job, struck the main person that was promoting the slander, Marvin R. Curtis.

4. Perry, intending to end the slander hit Curtis once but very hard, breaking his nose, cheer bones, and teeth. Curtis sued for the damages and medical bills.

5. Lerch(supra) filed the case in Noble Superior, the wrong Court, when the issues were pending in the Allen Circuit and the fight took place in Delaware County. Perry objected immediately but the whole objection and entry was removed from the record.

6. Mean while, in the Allen Circuit Court case, brought after Perry had taken the issues to the Indiana Civil Rights Commission and Labor Relation Board, Lerch and Perry's attorney Karen Walker conspired to strip Perry's files; and each and all of the named attorneys listed as respondants for both the Fox and Curtis cases. They all altered documents, refused to cooperate in discovery, had someone broke into Perry's house and stole his documents; they had two of Perry's friends, that were to be witnesses, killed; court records were altered and then they got the judge to order Perry to produce those same documents or be held in contempt of court. At that point it was impossible for Perry to produce that which he now did not have because of the intrinsic and extrinsic fraud involving Karen Walker and Stephen Lerch and partner Stanley Lavine, which involved each and all attorneys and parties in Fox.

7. In view of the fact that the Federal Injunction placed on Perry by the U.S. District Court in the case of Perry v. Barnard et al., (issues of no discipline to Greak by the Indiana Supreme Court, Supreme Court was sued) (see Inj. Lodg. pp 54-59) had been presented to Judge Ryan and was influencing his actions of discrimination against Perry, pushed by Lerch. Perry knew that because of this, and that he had none of his documents and evidence, that he would be forced into voluntary dismissel or be sanctioned for contempt of court. The case was dismissed under this duress.

8. The Curtis v. Perry case was still going also but Perry had requested time in which to answer the complaint and so he answered with an affirmative defense of self defense, later stated by Lerch as being an admission. But the Court failed to consider the fact that that was a question of fact for the jury trial Perry had requested but was denied.

9. In addition Perry filed suite against all of the defendants in the Fox case and included each and all of their attorneys as well as the person in the Indiana Civil Rights Commission that refused to take action on their decision that Perry had an issue against the Union. (Record shows fraud; Lerch was on those boards as was attorney William Groth and also represented the I.U.O.E. # 103 at the same time).Then they destroyed their own reports and refused to produce any part of it. [This is a determining fact because Judge Stephen Spindler dismissed the case as frivolous because Perry could not prove

any of the issues. Not even prove he had been to those labor boards.(except in open court, Lerch admitts serving on the boards and knowing of Perry's filings) It is not what Perry produced that is convicting here but rather what is so very obvious, that is no records at all because the records had been destroyed at the direction, obviously of Lerch and Groth.]

10. The obstructions of justice were new issues as of, or during the Fox case and of which Perry was obligated to file pursuant to the Indiana Rules of Court, in order to preserve his complaint for damages. But they were also the same type of complaint that brought the injunction related to Gresk in the Barnard, Federal case. The stage is now set for the State injunction to be placed. (see State Inj. Sep.Apdx. pp. 90-100)

11. Perry knew these issues were exclusive jurisdiction issues for the Indiana Supreme Court because of the attorney misconduct, and he requested in his complaint that they be heard by that said Supreme Court, but that request was ignored by judge Spindler, violating venue rules Trial Rules 75 and 76 of the Indiana Rules of Civil Procedure.

12. One of the methods used by these people involved in this conspiracy that takes in those of the Gresk, Barnard and U.S. Of America cases, is the interference with employment and interference with businesses Perry had, to cause him to be without income as a form of obstruction of justice along with all the other forms before mentioned but not limited to that list only. This includes the I.U.O.E. Local #103 refusal to dispatch Perry to any job then or for the past 8 years now. In addition to the tampering with the social security records, pension fund records, making it look like Perry had service of a total of 9.9 years instead of an actual 28 years, intending to depleat any meaningful retirement benefits with either the union or social security. That power is further demonstrated by the taking of funds from Perry's banking accounts and the banks refusing to do anything about it nor the prosecutors nor the law enforcement authorities. Leaving Perry to fin for himself.

13. The main issues of this appeal are the lack of jurisdiction both over the person and over the subject matter and the encroachment by the lower Court into the exclusive jurisdiction of the Indiana Supreme Court. But then we have the Indiana Supreme Court willfully refusing to discipline as is documented by the Perry v. Gresk case and because of that

refusal to discipline, the Indiana Supreme Court was sued to enforce their legal duty to protect Perry by discipline and disbarment. That Indiana Supreme Court refuses to address the issues, raised in the cross-complaint filed in Curtis (and as far back as Gresk) and as forward as to date. Applied discrimination

14. Now the Indiana Court Of Appeals supports the lower Noble Superior Court's contension that the issues are frivolous and require sanctions for their filings. This is not only a false and misleading statement contrary to the facts and laws, but it is founded on flawed laws, that have been legislated to allow the courts of all levels to get rid of any case they don't want. That raised the Federal question issue, related to Indiana Code, § 34-5-2-1 which deals with the rule making process of the State but that has been repealed since this litigation started but it stands as it was only under other new State Statutes. They have compounded their lack of jurisdiction by taking the questions of facts away from a jury. They just plain denied trial by jury by use of the said flawed laws which allows them to dismiss as frivolous or as summary judgment or default when the facts and evidence are clearly contrary to their judgments.

15. That the facts herein present document proof of serious and damaging conditions to the judicial systems of the State and Federal Courts of this State Of Indiana.

16. Pursuant to State of Indiana Law, Indiana Code § 33-2-3-1, pp. 113,114 West's Statutes (1999) The Supreme Court of Indiana is charged with the legal duty to discipline attorneys and judges within the State for illegal, un-ethical and immoral behavior as a provision to escape the challenge of the Constitutionality of restricting the practice of law to licensed attorneys. (Id.) But the State Supreme Court refuses to discipline the said attorneys and judges that have harmed this petitioner, caused him losses and damages due to destruction of records, (court and private) intimidation of witnesses, altered and falsified documents, killing of witnesses, trying to kill this petitioner allowing bogus claims opposed to petitioner to prevail and setting in judgment with total lack of jurisdiction and openly discriminating against this petitioner under color of the State law, (Id.) also under the repealed law of I.C. § 34-5-2-1 that makes Perry's pro se litigation illegal and so they don't have to listen nor give him relief on his complaints. (mis-applying the laws)

17. The seriousness of the total picture is the fact that this Indiana Supreme Court can not discipline any attorney or judge because to do so would cause themself to be subject to civil and criminal prosecutions. Why? Because they have themselves engaged in flawed legislation and case law to aid in the protection of those who wish to engage in criminal activities in court proceedings related to this petitioners issues. Therefore, how then can they punish others for the same offenses they themselves have engaged in? (legislating to legalize the practice of corruption in judicial proceedings). So the system is broken and must be repared and which can only be done under this U.S. Supreme Court's Supervisory powers; with the common fact existent in each and all areas of the judicial systems, including the Tax Courts. Thus this United States Supreme Court is the only place that such an undertaking can take place because of jurisdictional limits, plus the evasiveness of the Indiana Supreme Court to address the core problems of attorney and judge fraud.

18. The precedent case is Perry v. Gresk, a Federal Court case brought to this U.S. Supreme Court under a pauper petition and Docket Numbers 86-6325 and 86-1765. Gresk, aided by State and Fedeal Officials within the State, including the State Attorney General's Office and the Governor's Office, in the theft and cover-up of this petitioners money, that was in the control of the State, of a total of $600,000. of this petitioners money.

19. In addition and in relation to the business interference, that started all of this, the other defendants of the Gresk case, practiced criminal methods in various civil proceedings to prevent this petitioner from rightful recovery of losses and damages in the related business interference matters. The Indiana Supreme Court refused to discipline Gresk and the others for their crimes and refused to make Gresk pay back the stolen money. In so doing they joined the conspiracy to the theft and the cover-up of the said State Held Money by deliberately departing from the Supreme Court legal duties to discipline and protect the public. These departures were as a form of repayment to Lugar, because of their placement, thus personal interests in the outcome of the issues. Lugars clear intent was to rig the courts for both Lugar's protection and Gresk's.

20. Gresk, at the time, being chief staff attorney for Senator Richard Lugar, was protected by Lugar and Lugar

placements in the judicial systems to block this petitioners litigation in both civil and criminal matters. Chief Justice, Randall T. Shephard was one of those placements. The re- examination of the case laws cited by the Indiana Court of Appeals in it's August 3, 2001 judgment, shows the books have been rebound and the points originally intended changed to the point the case law is almost not relative anymore. Now both the State Reporter and the Federal Reporter read the same. The State reports contained the information about Shephards activities with the State Legislature. The Federal Reporter was a completely different text though under the same identifying case law. Upon my return to the library the books had been rebound, so I do not have those first copies to include in this appendix.

21. The fact that all of the crimes committed by each and all the named attorneys and judges in the Gresk case were published; and the Indiana Supreme Court refused to discipline any of them for their crimes. Each got away without any sort of penalty. That is what broke the system.

22. The Indiana Supreme Court could no longer punish the attorneys and judges without risk of being punished themselves. The result is very clear, in the various cases taken before the judges of this State or Federal Court system, this petitioner stood no chance. The State was burdened with their discrimination against laymen pro se litigants, and they had a cause; to protect themselves and any attorney that was accused of un-ethical, illegal and criminal acts in the civil litigation involving Perry.

23. With this condition present, the attorneys,within this appeal, Perry v. Curtis, which grew out of a Union problem brought on by Lugar and friends, (namely Theadore Lockyear) and brought into court in the case of Perry v. Fox Contractors et al, on malicious slander and lible, knew they had a free run.

24. Perry had requested an injunction (see Lodgings p. 30)but was denied. In an act of self defense, Perry hit Curtis once because Curtis was trying to get Perry fired. This is the onset of Curtis v. Perry case with cross-complaint and then Perry v. Curtis appeal. In these lower courts, the attorneys, (the defendants of this appeal together with their clients) had a hay day, altering documents, stealing documents, altering court records, intimidating witnesses, refusing to co-operate in discovery, killing Perry's two friends that were to testify, trying

to kill Perry and engaging in extra judicial contact with the judges to get the judges to do what the attorneys wished. All without worry of any disciplinary action because they had introduced the Fedeal Injunction to the judges and the facts as said above made clear that none, (the judges or attorneys) had anything to worry about because the high courts were engaged in corrupt activities that would not allow discipline as said above.

25. In each instance the process was the same, get him in court, present the Federal Injunction, steal his evidence, deny trial by jury, deny the facts, dismiss the case as frivolous and award the opposing side whatever it is they ask for. It amounts to a recketeering system using the courts as the enforcer. Totally contrary to any law and totally contrary to the facts that should have been tried by a jury.

26. This extraordinary writ is being petitioned for extraordinary circumstances, pursuant to Supreme Court Rule 20, where relief can not be had in any other form or in any other court. This fact is established by the long history of litigation as cited above; and supported by the review of the judgment entered by the Indiana Court of Appeals on August 3, 2001. The flawed law developed by Shephard has carried them to safety untill now. But they still refuse to admit their errors and address them. The refusal to rule on the motion to transfer is evasiveness.

27. This petitioner seeks the issuance of a writ of mandamus and wirt of prohibition under the terms and conditions of 28 USCS § 1651(A) with this extraordinary writ, in aid of this Supreme Court's Jurisdiction.

28. Your supervisory powers are invoked under the terms and conditions of Supreme Court Rule 10(A) & (C) and Rule 20(1.) under the terms and conditions of the United States Constitution Article III. Section 2, clauses 1 & 2. The systems are broken and you must fix them. The Indiana Supreme Court is so situated that this petitoner can not get relief from this Indiana Supreme Court or any other court as is herein documented and as these statements indicate. Under these laws, where in-justice has occured; and where the lower courts are outside their jurisdictions acting apart from well established law, you have a legal duty to correct these problems.

29. This judgment of August 3, 2001 makes the point very clear:

" - - trial court denied Perry's Motion for Relief, - - - Perry had not carried his burden to show any mistake, newly discovered evidence or fraud as required by T.R. 60(b)."

30. The question is, how could Perry be expected to show the fraud at this particular time when the Clerk refused to produce the record parts Perry had requested for the Original Action and the hearing in the lower court? Clearly this ruling was made before the record was available, including transcripts. No consideration was given for the fact the case was in the wrong court and the subject matter exclusive to the Indiana Supreme Court; but more importantly when Perry petitioned Judge VanDerbeck for an investigation into the tampering with court records with emphasis on hearing recordings, he refused. The other side of it was, Perry could not get it done because the law enforcement agencies refused, claiming no jurisdiction to do so.

31. But Perry has pointed out page after page in his appeal the fraud in the proceedings by both the court and the attorneys but the the Indiana Court of Appeals and Indiana Supreme Court refuse to admit the facts and take any action. The contents of the separate appendix to this petition contains the filed brief with separate appendix and petition for rehearing, and the Catalogue of Tables of Contents as required by the appellate rules. The amount of fraud shown by reference to the record, cited in the appellant's brief, separate appendix, catalogue of Table of Contents and petition for rehearing is of such great amounts that it makes a black eye for the high courts of this State to write such an opinion as is expressed in the August 3, 2001 memorandum.

32. The point to all of this is that it is so overwhelming, to note the total absence of any document or record that reflects what the attorneys and judges did or did not do in the Fox case giving rise to the cross-complaint in Curtis. When you consider we have defendants from the Indiana Civil Rights Commission and Attorney General's Office and Labor Relations Board, but yet no evidence, not even a report from each said office. The reason being, they have been distroyed and/or altered. Which makes the clear point; and that formed the bases for Perry's cross-complaint., Why didn't the judges take action and investigate? The answer is clearly, the Federal

Injunction and the history of escaped punishment for criminal methods of practice in civil litigation. Clearly documenting that the Indiana Supreme Court will not consider any such issue. The fact is that such conduct clearly effects standing. E.g. *Loving v. Boren*, (CA 10th, 1998) 133 F. 3d 771,772 No evidence, no standing.

> " The Article III elements of standing ' are an indispensable part of plaintiff's case, upon which he bears the burden of proof.' At trial the plaintiff failed to offer any evidence of injury in fact; dismissal for lack of standing was affirmed."

ARGUMENT

1. In this Perry appeal, the burden shifts from show of damage by the plaintiff, Curtis, to a show of misconduct by the judicial body as a whole, brought forth by the cross-complaint. That is exactly what this petitioner has done here because the opposing side has stolen all of his evidence and refuse to co-operate in discovery. The total absence of any evidence or documents supports the issues of Perry's complaint for obstruction of justice. The judges in both Allen and Noble refused to cause the necessary investigations and discovery examinations to occure so that justice could be served; rather they reverted back to the un-truths of the Barnard and Gresk cases, as a show of final discrimination against laymen pro se litigants. They produce the Federal Injunction as a bases for there leave to do this petitioner more injustice and proceed to write a like injunction in this State case to further deny Perry any justice, now or in the future.

2. Look at the judgment excerpt from the lower Noble Superior Court Judgment cited in the August 3, 2001 judgment of the Indiana Court Of Appeals. No dought it was intended for future denial of any justice for Perry. (see infra) The point is, the lack of evidence is in fact the evidence under the circumstances. The point then driven home by the fraud shown by reference to the record involving both the Court and again the same attorneys.

3. The timelyness of this action for relief from judgment pursuant to Trial Rule 60 (B) is not time barred pursuant to 21A Fed. Proc. L Ed § 51:166 (1999 Ed) Judgments,

general, pp 438,439 (also cited case laws therein) and; 21A Fed Proc. L Ed § 51:167 (1999 Ed) What Judgments are void pp. 439,441 at 440 thru last 5 lines on 441 and the case law cited within)

4. Citing *Jones v. State, 449 N.E.2d* 1060 (Ind. App. 1983

> To prove violation of due process clause based on discrimination, it must be shown that the discrimination exists and is a deliberate policy of the State. see 698 N.E.2d 735

Discrimination is easily identified in this case and all of the other cases listed under the title of Reports in this instance brief. The record already on file with this United States Supreme Court in the cases of Perry vs. Barnard and Perry vs. U.S. stand ready to identify the long standing practice of discrimination; denial of access to the Courts; denial of due process and denial of equal protection of the law.

> Federal Law as applies to this case and conditions: Section 1983 Civil rights claim must be based on deliberate indifference, not on mere inadvertence. *Sivard v. Pulaski County,* 995 F.2d 662, 17 F.3d 185 (Ind. 1992) see also *Scothorn v. State of Kansas, 772 F. Supp. 556 (Kansas 1991)*

5. As we examine the separate appendix that contains the appellant's brief and petition for rehearing; and we look at the clear documented proof of the theft in the lodgings (lodgings here are the same as the separate appendix in Indiana Court Of Appeals referenced in the brief) and all the other conditions in the various cases, especially those under Mathias, the proof of deliberate indifference is in each and all of them.

> Improper motivation is key element to § 1983 action alleging violation of plaintiff's right to equal protection of the laws. *Houck v. City of Prairie Village Kansas* 912 F. Supp 1428 recons. 950 F. Supp 312 see also *Hogue v. MQS Inspection Inc.* 875 F. Supp 714

6. As it appears, the enforcement of criminal action by a private citizen can not be accomplished, because of the way the case laws are designed and the conspiracy to not prosecute a fellow lawyer or judge. To do anything other than deny equal protection of the law, for them, is to invite punishment for the crimes they are trying to shield. See the untouchable attitude in the Federal Court Judgment footnotes. (Lodgings pp. 49,50,51)

> Where procedural due process is alleged, constitutional violation actionable under § 1983 is not complete when deprivation occurs; it is not complete unless and until state fails to provide due process. *Doe v. Sullivan County, Tenn., 956 F.2d 545; 113 S. Ct. 187.*

7. When this United States Supreme Court goes to the files and looks at the docket number of 99-310 and 00-241, they know that the law clerk was doing that which had to be; give the State one more chance to make it right. As burdensome and financially difficult as it was, I did take both back plus this instance case. The Federal cases, Judge Posner, Hamilton and Tinder, ended immediately with a mandate and some one even tried again to kill me to keep me from appealing that mandate.

8. The facts are that the Deputy Clerk, Susan Doniager would not certify the federal questions to the State Supreme Court, and she false certified that all the record was there when it wasn't. The mandate ended it all when I pushed for a correct record.

9. With Curtis, the State Supreme Court turned down the Original Action related to jurisdiction and twisted the facts to make it look like I had mis-filed. Then they refused to transfer the case from the Court of Appeals; and with the evidence of the tampering; personal interest in the outcome and record tampering, all was struck from the pleadings. All were bases for a Trial Rule 60(B) Motion.

10. In a short statement, this Supreme Court made clear, to take it back to the State and if they don't correct the problem bring it back. Well they have been given every possible chance but they just don't want to give the relief. As a matter of law, relief is 22 years over due for the theft of $600,000. and all of the ongoing wrong doings, which tolls the statutes of limitations in conspiracies of both civil and criminal nature.

SHORT LIST OF RESPONDANTS

This petition for extraordinary writ in the nature of mandamus and prohibition is directed at the State Of Indiana Supreme Court; Indiana Court Of Appeals; Noble Superior Court; Allen Superior Court together with the Seventh Circuit Court Of Appeals and the United States District Court For The Southern District Of Indiana, pulling in the Internal Revenue Service, the United States Attorney and Indiana Attorney General

1. Perry v. Curtis Docket No. 57A04-0009-CV-404 also Perry v. McCarthy, Lebit 02A04-0204-CV-157

INDIANA SUPREME COURT AND DISCIPLINARY COMMISSIONERS, listed in Appendix, pp A20-A21

(A) Randall T. Shephard, Chief Justice

Placed for the purpose of safeguarding attorneys and judges who elect to conduct themselves in a manner defined as racketeering and/or criminal methods practiced in civil procedure. Relates to cases, Gresk, Barnard, Curtis, Jensen and McCarthy Lebit. He refuses to discipline or allow civil action against an attorney or judge for their said criminal activities. Refuses to recuse himself. But Justice Shepard was placed to obstruct Perry's justice and has had and has displayed a personal interest in the case with emphasis on the Federal and State Court Injunctions, which was placed for an illegal purpose, contrary to law, contrary to the facts. This Court just does not want to discipline nor protect the public from the un-ethical and un-scrupulous as the record of this case and the others herein cited, reflect. (see I.C. § 33-2-3-1)

(B) Brent E. Dickson, Acting Chief Justice, appears to support all of Chief Justice Shephard's positions and makes the same defective judgments and distorted statements as does Shephard. No weight given to evidence and record tampering, attempted murder and murder in a civil action; they just strike those meritorious facts out as being scandalous. The views of prejudice and discrimination against laymen pro se seems to be a common thread with all the justices on this Court. This gives rise to the Federal Question Challenge to the Constitutionality of I.C. § 33-2-3-1 because the public is not protected.

(C) Frank Sullivan, Jr., Justice appears to be of the same mimnd set of being opposed to balance, fairness and justice according to the rule of law, the same as the others in this Court

(D) Theadore Boehm, Justice, the same can be said of this justice as with the others, There appears to be no justice or fairness in these justices minds; only prejudice, discrimination and retaliation None will address the issues of jurisdiction. Their judgments are always twisted to try to justify their wrong views. In that regard the judgment they support of August 3, 2001, this appendix p. A4, states Perry is well deserving of the injunction because of the abuse of process. On A6, the judgment foot notes says many of the defendants were named in the Perry vs. Fox suite and dismissed with prejudice. This fact is twisted according to the record. Curtis v. Perry with the cross complaint of Perry vs. Curtis is the direct result of procedure fraud, theft and destruction of court documents, agency documents and the killing of two of Perry's witnesses, then holding Perry in the position of contempt for not producing the documents they had just stolen or destroyed. The dismissal was extorted by abuse of power by Judge Ryan, favoring attorneys, Stephen Lerch and Leonard Eilbacher's extra judicial activities. The end result was that the cross complaint was filed for the obstruction of justice that occured in Allen Circuit and which was denied jurisdiction because Lerch and the Clerk in Noble County, Diana Botner, removed the objection and altered the docket to prevent the return of the Curtis issues to the original court in Allen County. When you examine the mind set of these many judges of both the State and Federal Courts of this area, you can see from the judgment in the "Lodging" section for this petition, pages 49 thru 51, you see that no matter how serious the offense, they still feel they do not have to worry because a private citizen can't bring a criminal charge and they won't allow a civil action. Tinder was not sued because he did not prosecute, he was sued because he took the Federal Judgship in lue of prosecution which was nothing short of a bribe. The bribe, the setting on a case he was prosecutor on and refusal to recuse, then placing an injunction (see injunctions Sep. Apdx. pp. 91 thru 100) that protects the attorneys and judges that choose to practice fraud against Perry in the Courts. It amounts to court enforced racketeering pursuant to 18 USCS § 872 (originally § 871)

1. McCarthy Lebit Crystal & vs. Perry Enterprises et al.

.1 Obtained file by deception and then attempted high retainer at risk of loss of the suite if not paid; then filing of false claim for attorney fees not earned and monovered hearings with both the Ohio Court and Allen Superior Court to cause a loss to Perry of $2.2 million in Ohio and $2.8 million in Indiana. This was accomplished by Judges, Jose A Villaneuva , Paul D. Mathias, Daniel Heath and a counter claim for damages was destroyed preventing that recovery, believed to be by Magistrate Jerry Ummel. Ummel has destroyed other court records in the M & M Investment case and others. Pleadings filed and maintained by Rothberg and Logan and David Smelko. No brief was filed on appeal of Trial Rule 60(B) motion, by appellees. (Marc Cohen, McCarthy, Lebit)

.2 In the case of McCarthy, Lebit, the evidence is clear that attorney, Marc Cohn used extortion tactics to leverage representation in the Federal Case of Perry Enterprises Inc. v. B.M.I. Transportation, by holding the file so that Perry could not seek other counsel and Cohn then asked for $200,000. up front to represent Perry's company and in the end caused Perry to lose $5,000,000. by use of a boycott against Perry. This raises the Challenge to the Federal Statutes 28 USCS § 1654 which requires a corporation to be represented by a license attorney.

2. INDIANA COURT OF APPEALS
402 West Washington Street
216 State House
Indianapolis, Indiana 46204

(.1) John G. Baker, Judge, Ezra H. Fiedlander, Judge, Margaret G. Robb, Judge, Paul D. Mathias, Judge, all followed the precedent set by the Indiana Supreme Court but the precedent violates his oath of office to defend and uphold the United States Constitution and State of Indiana Constitution. Rather the first thing any of these judges want to do is attack the said Constitutions and legislate from the bench, (in violation of the seperation of powers doctrine) laws that void the rights of the citizens; and support any case law or statute already on the books no matter how anti- constitutional it may be and they make no offer to change that offensive law. Which raises the challenge to the Public Law 110-702, and the right to make rules without overcite.

.2 Their judgments are beyond twisted and to the point of totally erronous. There can be no standard that allows the States High Courts to support a finding most favorable the lower court judgment when the entire record reflects strong practices of fraud on the part of all opposing parties; the judge, Stephen Spindler, his attempted murder of Perry, the killings of Perry's two friends by some one of this group of cross defendants, to keep those friendly witnesses from testifying; they stold, altered and destroyed records of Perry's, part of which was acted out by Perry's own attorney, Karen Walker of Lebemoff Law Offices; some by the people named as State Civil Rights officials and Labor Relation Officials, all of whom were working together to the same goal of getting rid of the evidence. All of this going on, but it is after all a civil suite.

.3 These judges believe that no record at all amounts to a frivolous action, but ask a jury and state the conditions; the facts are clear no evidence from those in charge of the evidence is solid proof of procedural fraud. That fraud in proceedings, is exactly what the Perry vs. Curtis cross complaint was all about. But these issues are the same type of issues, but with different actors, as was the complaints as far back as Perry vs. Gresk and further. That was their intent so as to put in place a State Court injunction like the Federal Court injunction. In fact Judge Spindler ordered it to be that way.

.4 Compare the injunctions, both in the Separate Appendix from pages 91 thru 100. Look also at the docket sheet from the Perry vs. Fox case in the Lodgings pages 30 thru 38. If the records of the lower courts of both Noble Superior and Allen Superior were examined you can see the many changes on the dockets. With Allen Superior, look mostly at Judge Paul D. Mathias's records. He allowed the use of fabricated evidence, false sworn affidavits and witness tampering to name a few things that would allow him to award sizable judgments to attorneys on bogus claims. He protects that type of conduct.

.5 The Governor, Frank O'Bannon, and back in time to Robert Orr, all inclusive; the State Attorney General Lindly Pierceson, forward to Steven Carter; the Indiana State Police; the Federal Bureau of Investigation; the IRS-CID and local Sheriff departments about the State of Indiana, knew of the theft, the stalking, the business interference, the attempted

murder, the actual murder of the two friends, but none would do anything about it because of who was involved.

.6 We can not leave out the United States Attorney, Timothy M. Morrison, (others in the time period as well) the United States District Court For The Southern District Of Indiana, (Indianapolis and Evansville) Judge Gene E. Brooks, Clerk Susan Doninger, Judge David Hamilton, Judge John Daniel Tinder, the Seventh Circuit Court Of Appeals Judges of Richard A. Posner, Cir. Judge; Frank H. Easterbrook, Cir. Judge and Michael S. Kanne, Cir. Judge. All knew of the theft of the $600,000.; all knew of the killings and attempts to kill; and all denied the Title 42 USCS § 1983 and § 1985 civil rights suits supported by Title 28 USCS § 1343.

.7 Each and all, fully and totally supported these criminal acts and aided to cover up evidence by stripping files and striking pleadings and twisting judgment and out right lying bout facts to make their case law work. With emphasis on immunity; jurisdiction; equal protection of the law; and the application of valid germane case law.

3. The IRS-CID first contacted me about tax on my Construction Company, back when Tell City National Bank and Gresk stole the money and worked a few other deals to put me out of business. They forced payment of tax that were proven, to be not owed. I could never get a hearing and could never declare the loss of the $600,000.

Time passed and this condition with Curtis and Barnard and Gresk grew, with disrupted employment, disrupted businesses, at huge losses each year and then the IRS says you can't claim those losses and damages unless you litigate them. After the litigation, you can't claim those losses because you only have three years and it's been 5 or 6 or 10 and even then you can only claim $3,000. per year. Add then that more money was stolen, forced involvment in money laundrying and the alteration in my social security records, union records of both local #103 and # 150; central pension funds records altered showing low income and work haveing been for companies when I didn't work at all over a 4 year period.

The problem comes down to corruption in the courts. You can't get the fair litigation and the proof of the evidance tampering such as with attorney Randall Hammond in the Perry vs. Vande Zande case, the IRS and agent Fabina have copies of

the altered video of the Barry deposition; they have the knowledge of the theft of $36,000 from Star Bank; and of the money laundrying but they refuse to do anything about it and with the U.S. District Court blocked, I can't do anything nor can I fully complete my tax filings because of all the fraud that has been injucted into my records. At this point the IRS is helping Senator Richard Lugar and Judge John Daniel Tinder and judge Stephen Spindler, that I know about. The magnetic tape attached with the Lodging proves the stalking, illegal wire taps and intended interference. See Lodgings Judgment footnotes on pages 49-51 proves their calloused indifference to the law and the various crimes they committ.

As a matter of law, (21A Fed. Proc. L Ed § 51:166 and § 51:167) this Petitioner is entitled to full relief and compensation for all the losses and damages, denied because of the said discrimination. Discrimination acted out by each and all the State and Federal offices and Officials of the State of Indiana, in total denial of nearly all of this Petitioners United States and State Of Indiana Constitutional Rights.

Therefore this Petitioner, Lloyd G. Perry, respectfully prays for an Order granting this extraordinary writ in the nature of mandamus and prohabition, and with the powers vested in this United States Supreme Court, bring to this Petitioner the relief and compensation that has for so long been denied him.

So requested with all other just and proper relief in the premises.

Under the laws of the State Of Indiana, Subscribed and Sworn under penalty of perjury, to the forgoing statements to be true and accurate to the best of my knowledge and belief and by review of the records.

Respectfully submitted by;

Lloyd G. Perry, petitioner, pro se
P.O. Box 11041
Fort Wayne, Indiana 46855
Phone

APPENDIX

SEAL OF THE STATE OF INDIANA

CLERK
Supreme Court, Court of Appeals and Tax Court
STATE OF INDIANA
217 State Hous, Indianapolis, In 46204

Brian Bishop
Clerk 317-232-1930 FAX 317-232-8365

Cause Number
57A04-0009-CV-00404
Lower Court Number:
57D019007CT18

PERRY, LLOYD G.
10025 West, 400 South
Dunkirk, In 47336

PERRY, LLOYD G. -V. - CURTIS, MARVIN R.

You are hereby notified that the Supreme Court, has on this day 3/19/02.

This Matter has come before the Indiana Supreme Court on a Petition to Transfer Jurisdiction following the issuance of a decision by the court of appeals. The petition was filed pursuant to Appellate Rule 57. The Court has reviewed the Decision of the Court Of Appeals. Any record on appeal that was submitted has been made available to the Court for review, along with any and all briefs that may have been filed in the court of appeals and all the materials filed in connection with the request to transfer jurisdiction. Each Participating member of the Court has voted on the Petition. Each participating member has had the opportunity to voice that Justice's views on the case in conference with the other Justices.

Being duly advised, the Court now denies the Appellant's Petition To Transfer of Jurisdiction.

Randall T. Shepard, Chief Judge

AA

All Justices concur
Witness my name and the seal of said Court,
19TH March, 2002

"s/ "

Clerk Supreme Court, Court of Appeals, and Tax Court.

SEAL OF STATE OF INDIANA
1816
Brian Bishop
Clerk

CLERK
SUPREME COURT, COURT OF APPEALS, AND TAX COURT
STATE OF INDIANA
217 STATE HOUSE, INDIANAPOLIS, IN 46204
317-232-1930 FAX 317-232-8365

PERRY, LLOYD G.
10025 West, 400 South

DUNKIRK, IN 47336

Cause No.
57A04-0009-CV-00404
Lower Court Number:
57D019007CT18

PERRY, LLOYD G. -v- CURTIS, MARVIN R.

You are hereby notified that
COURT OF APPEALS has on this day 8/03/01
ISSUED THE ENCLOSED OPINION: RS

WITNESS My name and the seal of said Court,
this 3RD day of AUGUST, 2001

"s/_____
Brian Bishop
Clerk Supreme Court, Court of Appeals and Tax Court
[12] (Notice Cover Page of Order)

Pursuant to Ind. Appellate Rule 15(A)(3) this Memorandum Decision shall not be regarded as precedent or cited before any Court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.

FILED
AUG 3 2001
Brian Bishop
CLERK
INDIANA
SUPREME COURT
COURT OF APPEALS
AND TAX COURT

APPELLANT PRO SE:
LLOYD G. PERRY
Dunkirk, Indiana

IN THE
COURT OF APPEALS OF INDIANA

LLOYD G. PERRY, Appellant-Plaintiff, vs. MARVIN R. CURTIS, et al., Appellees-Defendants.	)))))	No. 57A04-0009-CV-404

APPEAL FROM THE NOBLE SUPERIOR COURT
The Honorable J. Scott VanDerbeck, Special Judge
Cause No. 57D019007-CT-189

August 3, 2001
MEMORANDUM DECISION-NOT FOR PUBLICATION
BAKER, JUDGE [1] (of order)

Appellant-plaintiff, Lloyd G. Perry appeals the dismissal of his Motion for Relief from Judgment pursuant to Ind. Trial Rule 60(B). Specifically, he contends that the trial court lacked jurisdiction in permanently enjoining him from instituting a cause of action, in any court in the State of Indiana, on matters already litigated regarding a battery claim and in a separate case for slander and libel. Perry also maintains that his motion should have been granted because he demonstrated that the defendants in those actions committed fraud.

FACTS

The facts most favorable to the judgment are that on February 22, 1991, Perry was enjoined, by the Noble Superior

Court, from instituting any further causes of action that arose from, or related to, issues in Perry v. Fox Contractors, Inc., et. al., No. o2C01-9808-CT-93, or Perry v. Curtis, No. 57D01-90006-CT-018, in any court within the State of Indiana, without leave of the Noble Superior Court. Record at 146. The claims brought by Perry in those action were based upon battery and defamation.

When the order was issued, the trial judge commented as follows

> "I believe that if anyone is subject to sanctions under Rule 11 and if anyone has behave themselves in a fashion which causes justice to cry out for an injunction to curb the abuse of the legal system which you have perpetrated in the past and the future, it is you. And, for that purpose, I am going to grant all of the Motions and Applications for Permanent Injunctions." R. at 461-62. "This action, as I tried to explain to you earlier, is so patently, obviously, and tansparently frivolous and brought in bad faith that it is frivolous, transparently and patently frivolous, with regards to everyone you named." [2] (of order)

R. at 472. The trial court noted that the injunction did not affect Perry's right to appeal the decision, to defend himself in any criminal action, or to deny his access to the Court of Appeals or the Supreme Court of Indiana for any purpose. R. at 147-48. Perry did not appeal this injunction, but instead filed a T.R. 60 (B) Motion for Relief From Judgment or Order on December 12, 1999. In that motion, Perry claimed that the trial court was without jurisdiction to issue the permanent injunction regarding those cases. He also argued that the opposing parties acted fraudulently.

Prior to the Noble Superior Court's issuance of the injunction, the United States District Court for the Southern District of Indiana, in 1989, enjoined Perry from filing in any federal court, without leave of that court, any lawsuit arising out of or related to any issues in Perry v. Gresk, No. EV84-174-C, slip op. (S.D Ind. Feb 21, 1986, or Perry v. Barnard, No. EV88-24-C, slip op. (S.D.Ind. Sept. 26, 1989). R. at 628-32 (7th Cir. Nov. 21, 1986) These actions involved conspiracy and defamation claims against various state officials and government agencies. That injunction was affirmed by the United States Court of Appeals for the

Seventh Circuit, Perry v. Barnard, No. 89-3575. R. at 633-34 (1986)

In response to the Noble Superior Court's order, Perry filed a Petition of Permanent Writ of Mandamus and Prohibition and a Petition for Emergency Writ with the Indiana Supreme Court on February 25, 2000. Perry alleged that only the Indiana Supreme Court had the jurisdiction to issue an injunction to prevent pro se representation and that the injunction placed a hardship on Perry. Thereafter, our Supreme Court dismissed the petitions on February 25, 2000, determining that Perry sought an unquestionably inappropriate remedy and that Perry failed to show that the trial court [3] exceeded its jurisdiction in granting the injunction. the trial court denied Perry's Motion for Relief from Judgment on June 28, 2000, determining that Perry had not carried his burden to show any mistake, newly discovered evidence or fraud as required by T.R. 60(B). He now appeals the denial of that motion

DISCUSSION AND DECISION

I. Standard of Review

In resolving Perry's claim that the trial court erred in denying his Motion for Relief from Judgment, we note that the grant or denial of a Motion for Relief from Judgment is left to the equitable discretion of the trial court. We will reverse only for an abuse of that discretion. Mercantile Nat'l Bank of Ind. v. Teamsters Union Local #142 Pension Fund, 668 N.E.2d 1269, 1271 (Ind. Ct. App. 1996). An abuse of discretion occurs when the trial court's denial is clearly against the logic and effect of the facts and inferences supporting the judgment. G.B. v. State, 715 N.E.2d 951,953 (Ind. Ct. App. 1999). On a Motion for Relief from Judgment, the burden is on the movant to demonstrate that relief is both necessary and just. Levin v. Levin,645 N.E.2d 601,604 (Ind. 1994)

II. Perry's Claim

In resolving Perry's claim that the trial court was without jurisdiction to issue the permanent injunction, we note that injunctive relief may be granted, under the court's equity powers, when the plaintiff's production of litigation amounts to an abuse of process. Huber v. Franklin County Comty Sch. Corp., 507 N.E.2d 233,238 (Ind. 1987). Likewise, the equity powers may be invoked to prevent a multiplicity of suits or to suppress

litigation when otherwise there would be actions at law unnecessarily or [4] burdensomely numerous. State v.Lake Superior Court Room 4, 335 N.E.2d 199,203 (Ind. 1975)

Turning to the circumstances in the instant case, it is apparent that Perry has a history of bringing frivolous lawsuits. Perry was sanctioned by the federal court for instituting spurious claims in a decision that was upheld by the Court of Appeals for the Seventh Circuit. R. at 628-34. In those cases, Perry brought suit against fifty-three defendants including the Indiana Department of Natural Resources, the Insurance Company of North America, the Indiana Attorney General, the German American Bank, and the Chief Justice of the Indiana Supreme Court. R. at 628-29. Perry claimed that the various defendants were joined in a conspiracy to defraud him and harm his reputation. The federal courtfound these claims to be without evidentiary support, wholly frivolous, and without merit.

Perry has also not been a stranger to our state courts. In the cause that Perry now appeals, he named twenty-nine defendants who he alleged were joined in a conspiracy to defraud him, defame his personal reputation and kill him.1 The trial court reviewed the complaint and determined that these allegations were without merit, frivolous, and brought in bad faith. In order to "halt the legal treadmill upon which these defendants were being recycled," the court issued the requested injunction. See Lake Superior Court, 335 N.E.2d at 605. Perry's failure to appeal the grant of the injunction in a timely fashio coupled, with his failure to demonstrate any fraudulent conduct or other requisites under T.R. 60(B), supports the trial court's decision to deny Perry's Motion for [5] Relief fromJudgment. Finally, we note that the trial court was well within its equitable powers to issue the injunction in these circumstances. See Lake Superior Court, 335 N.E.2d at 605.

Judgment affirmed.
FRIEDLANDER, J., and ROBB, J., concur.

---

1 Many of these same individuals and allegations were alleged in separate complaint Perry filed in Allen County that was dismissed with prejudice. [6]

IN THE COURT OF APPEALS

_____Term, _____2002_____

"s/ Lloyd Perry "

vs.

"s/ Marvin Curtis "

CERTIFICATION

Brian Bishop
Clerk, Supreme Court

CERTIFICATION

_____

_____

_____

STATE OF INDIANA)
) SS:
Court Of Appeals)

I, Brian Bishop, Clerk of the Supreme Court of the State Of Indiana, Certify the above and foregoing to be a true and complete copy of THE OPINION OF SAID COurt in the above entitled case.

IN WITNESS HEREOF, I set my hand and affix the seal of THE CLERK OF THE said Court, at the City of Indianapolis, this 19 day of MARCH 2002

"s/ Brian Bishop "Clerk.

CL505RT HISTORY LISTING FOR CASE NO. 9-CV-00404
4/05/02 PERRY, LLOYD G. -V- CURTIS, MARVIN R.
Lower Cause Number: 57D019007CT18

PERRY, LLOYD G.
10025 West, 400 South
Dunkirk, In 47336
765-768-9915

Perry, Lloyd G.
A

JAMES VANDERBECK
LaGrange Circuit Court
CT. House 105 N. Detroit St
LaGrange, In 46761
260-463-3633

Curtis, Marvin R
E

WILLIAM GROTH
Suite 204
1213 N. Arlington Ave.
Indianapolis, In 46219
317-353-9363

Curtis, Marvin R
E

File Date:

9/15/00 "Praecipe Filed"
9/26/00 Notice of Appeal by Lloyd G. Perry, Pro se Appellant (2) Proof of service (2) mail AH
9/26/00 Appellant's Motion Requesting Expidited Proceedings on Motion for Pre-Appeal Hearing with oral argument (6) proof of service (2) mail AH
9/26/00 Appellant's motion to transfer appeal to the Indiana Supreme Court (6) proof of service (2) mail AH
9/29/00 Issued the enclosed order:
9/29/00 The appellant's motion to transfer appeal to the Indiana Supreme Court of Indiana is Denied. jurisdiction remains with the court of appeals. the Appellant May seek transfer under appellate Rule 11, if need be and if justified under the applicable Rules and Law, once the court of appeals renders a decision.

RANDALL T. SHEPARD, CHIEF JUSTICE AA

10/02/00 ***** ABOVE ENTRY MAILED ****

10/06/00 Appellant's request for pre-appeal conference denied. JOHN T. SHARPNACK, Chief Judge AA

10/06/00 ***** Above Entry Mailed ****

12/01/00 Appellant's verified petition for extension of time in which to file the record (2) certificate of service (2) mail TG

File Date:

12/01/00 Appellant's Statement on the record pursuant to appellate Rule 7.3 (6) certificate of service (2) mail

12/01/00 Appellant's motin to settle this case by mediation with the Indiana Court of Appeals acting as mediator (6) Certificate of service (2) mail TG

12/01/00 Appellant's motion for stary of appeal pending outcome of settlement (6) Memorandum in support (6) Certificate of service (2) mail TG

12/08/00 Issued the enclosed order:

12/08/00 The appellant's motion to settle this case by mediation with the Indiana COurt of Appeals acting as mediator should be and the same is denied for the reason that it is not the function of the court of appeals of Indiana to act as mediator in litigation pending before it;

2. The appellant's motion for stay of appeal pending outcome of settlement should be and the same is denied;

3. The appellant Perry's statement on the record pursuant to appellate Rule 7.3 should be and the same is disapproved for the reason that said Rule contemplates for a record to be prepared under that rule by the parties preparing and signing a statement of the caase showing how the questions arose and were decided in the trial court, that the statement then be approved by the trial court, thereafter to be certified by the trial court and then the statement sent to this court as the record on appeal; What Perry has presented to this court as his statement is merely a unilateral statement of the record which

has not been agreed to by the opposing party and has not been settled and certified by the trial court;

4. The appellant should be and he is hereby granted an extension of time within which to file the record of the proceedings, which is presently due to be filed on or before December 14, 2000, to and including February 13, 2001

CARR L. DARDEN, Acting Chief Judge

Baker, Kirsch, Vaidik, J.J., Concur AA

12/08/00 ***** Above entry mailed *****

12/15/00 Appellant's pro se motion for leave to file amended certificate of service (6) No proof of Service MS

12/21/00 Appellant's motion for leave to file amended certificate of service denied.
John T. Sharpnack, Chief Judge FM

12/22/00 ***** Above entry mailed *****

1/30/01 Appellant's verified petition for extension of time in which to file the record (2) certificate of service (2) mail/NSS

File Date:

SECOND GP

2/02/01 Appellant's pro se motion to amend request for extension of time (6) certificate of service (2) mail

2/01/01 Appellant's petition for extension of time to file record granted to and including March 15, 2001. * Final Extension * John T. Sharpnack, Chief Judge

2/05/01 ***** Above entry mailed ***** AA

2/07/01 Appellant's motion to amend request for extension of time filed January 30, 2001 Denied.
JOHN T. SHARPNACK, Chief Judge AA

2/07/01 ***** Above entry mailed *****

3/15/01 ****Tendered: 4 Volume Record. One of the Volumes is a 'Helpful Information Brochure: That atty believes is allowable under Rule placed on my desk until hear from Mrs. Blue. MP

3/15/01 Appellants request for waiver of appeal bond to specify dollar amount time bond must be paid (6) certificate of service (2) mail MP

EDITOR'S NOTE

ORIGINAL PAGINATION IS NOT CONTINUOUS

	Appellant's petition to transfer of jurisdiction.	
	Randall T. Shepard, Chief Judge	
	All Justices concur	AA
3/19/02	***Above entry mailed***	
3/19/02	***Opinion Certified***	
3/26/02	*****Receipt Returned******	RS
	End of report	

PERRY V. CURTIS, APPEAL DEFENDANT LIST
THIS LIST IS OF COUNSEL OF RECORD WHOM ARE BOTH DEFENSE COUNSEL FOR OTHERS AND THEY ARE ALSO DEFENDANTS IN THE CASE

1. Marvin R. Curtis, plaintiff and cross defendant.

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2. Indiana Civil Rights Commission; and
   - A. Bobby Potters
   - B. Charles Johnson
   - C. Karen Freeman
   - D. Kirk Knoll Deputy Att. Gen.
   - E. Thomas L. Ryan, Judge Allen Superior

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3. International Union Of Operating Engineers, Local #103 and;
   - A. Dan Smart
   - B. Kenneth Johnson
   - C. Mike Wall

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4. Haller & Colvin, co-defendants
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5. Hawk, Haynie, Gallmeyer, co-defendants

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7. Hunt, Suedhoff, Borror & Eilbacher, co-defendants
Scott L. Bunnell, Leonard E. Eilbacher, Daniel Leininger
all co-defendants

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8. Rothberg, Gallmeyer, Frechtenicht ,Logan Scott Niemann
and Rothberg, Gallmeyer, Frechtenicht, Logan all as
co-defendants

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10. Burt, Blee, Dixon & Sutton, J. Phillip Burt, co-defendant

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11. Barrett & McNagny, Thomas K. Kimbrough,
Gary J. Rickner all co-defendants

Counsel of record, Thomas K. Kimbrough
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215 East Berry
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DEFENDANTS LISTED IN PARAGRAPHS 12 THRU 16 BELOW, ARE REPRESENTED BY ONE OF THE LAW FIRMS LISTED IN ¶¶ 1 THRU 12, THE RECORD DOES NOT DISTINGUISH WHICH

12. Fox Contractors Inc., its officers, directors or agents;
    - .1 Dallas Day
    - .2 Bob Baker
    - .3 Alva Lahrman
    - .4 Clifford Linn
    - .5 Randall Bechtold
    - .6 Dale Kirkendale

13. Moellering Construction Co., Inc. its officers, directors or agents;
    - .1 Scott Hile
    - .2 Charles Acheson
    - .3 Ned Schultz

14. Miller Brothers Construction Inc., it officers, directors or agents;
    - .1 Bernard Nartker
    - .2 Denny Warner
    - .3 Charles Christman Jr.
    - .4 Greg Johnson

15. Crider & Crider Excavating and Paving, its officers, directors, or agents;
    - .1Wayne Pancake
    - .2 Paul Grimm
    - .3 Richard Yearling

16. S.E. Johnson Companies, Inc., its officers, directors, or agents;
    - .1 Herbert Widener
    - .2 David Day

DEFENDANT LIST: PERRY V. BARNARD
U. S. S. Ct. No. 00-241

1. DEFENDANTS ARE MEMBERS OF THE INDIANA SUPREME COURT DISCIPLINARY COMMISSION, INDIANA JUDICIAL NOMINATING COMMITTE, AND TWO PRESIDENTS OF THE INDIANA BAR ASSOCIATION

2. Counsel of record for the State Supreme Court Disciplinary Commissioners and Judicial Nominating Committe Members, Robert Spear, Deputy Att. Gen.,Ind Replaced by Jon Laramore, and Janice E. Kreuscher
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3. Counsel of record for Rabb Emerson and Russ Hart, Presidents of the Indiana Bar Association was Theadore Lockyear replaced by James Kornblum, Michael Macer
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Disciplinary and Nominating Committees;

.1 Linda K. Barnard D.C.
.2 Sheldon D. Breskow D.C.
.3 Sherill Colvin D.C.
.4 G. Daniel Kelley Jr. D.C.
.5 Clifford Mashmeyer D.C.
.6 James McDonald, Jr. D.C.
.7 James Puckett D.C.
.8 Wesley W. Ratliff, Jr. D.C.
.9 Itsia Rivera D.C.
.10 Sarah B. Davies D.C.
.11 Bruce Kotzan N.C.
.12 Hansford Mann N.C.

.13 James T. Neal N.C.
.14 C. Coydon Randall N.C.
.15 Thomas H. Singer N.C.
.16 Howard S. Young, Jr. N.C.

4. DEFENDANT LIST: PERRY V. UNITED STATES et al.
U. S. S. Ct. No. 99-310

.1 United States Of America
A. Internal Revenue Service

.2 Senator Richard Lugar
.3 Senator Danforth Quayle

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.4 Paul D. Mathias,Judge Allen Superior
.5 Stephen Spindler, Judge Noble Superior

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5. DEFENDANT LIST: PERRY V. GRESK et al.
S. Ct. Nos. 86-6325 advanced to 86-1765

.1 Paul D. Gresk
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.4 George Astrike
.5 Ralph P. Zoercher
.6 Roger Curry
.7 German American Bank

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.9 Roger West
.10 Lee Ringman
.11 Jasper State Bank
.12 David Hubster
.13 Jasper Engine and Transmission

.14 Raymond B. Fritz

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.15 James DeMotte

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.25 Larry Jewett
.26 Phillip Moulthrop
.27 American Druggist Insurance Co.
.28 Insurance Of North America
.29 Lamar Street

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.30 William Beckman

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.32 C.I.T. Credit Corporation
.33 James Hartz

Represented by two firms
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Phone (812) 423-4234
and
Bamberger & Feibleman
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Indianapolis, Indiana 46204
Phone (317) 639-5151

ROBERT E. JENSEN et al
Plaintiff(s)
v.
Lloyd G. Perry
Defendant(s)

No. 02D01-0101-CT-000022

FILE DATE 01/26/2001
Judge, David Avery

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PERRY vs. VANDE ZANDE Allen Superior Court
Judge Paul D. Mathias No. 02D01-9503-CT-0122
Counsel of record, Randall J. Hammond and firm,
Tremper Bechert Leonard & Terrill
800 S. Calhoun Street. Fort Wayne, Ind. 46802

McCarthy, Lebit, Crystal & vs. Perry Enterprise et al.
Marc Cohen, attorney and firm of McCarthy Lebit
Allen Superior Court No. 02D01-9712-SC-20814
Ind. Supreme Court No. 02A04-0204-CV-157
Judges, Paul D. Mathias, Daniel G. Heath,
Magistrate, Jerry Ummel
Indiana counsel of record, David R. Smelko of
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Ohio Judge Jose A. Villanueva
Cuyahoga County,Court Of Common Pleas
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